

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 0:23-cv-60393-LEIBOWITZ/STRAUSS

DEMETRIUS CROSS,

Plaintiff,

v.

JERMAINE JOHNSON, *et al.*,

Defendants.

ORDER ADOPTING MAGISTRATE’S REPORT AND RECOMMENDATION

THIS MATTER was referred to United States Magistrate Judge Jared M. Strauss for a Report and Recommendation on Defendants’ Motion for Summary Judgment [ECF No. 47]. Judge Strauss has since issued a report, recommending that the Court grant summary judgment as to Plaintiff’s federal claims and remand Plaintiff’s remaining state claims to the Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida. [ECF No. 73]. Neither party has submitted objections, and the time to do so has passed. After careful review of the filings, the applicable law, and the record, the Court adopts Judge Strauss’ report and recommendation in its entirety.

“In order to challenge the findings and recommendations of the magistrate judge, a party must file written objections which shall specifically identify the portions of the proposed findings and recommendation to which objection is made and the specific basis for objection.” *Macort v. Prem, Inc.*, 208 F. App’x 781, 783 (11th Cir. 2006) (cleaned up). The objections must also present “supporting legal authority.” L. Mag. J.R. 4(b). Once a district court receives “objections meeting the specificity requirement set out above,” it must “make a *de novo* determination of those portions of the report to which objection is made and may accept, reject, or modify in whole or in part, the findings or

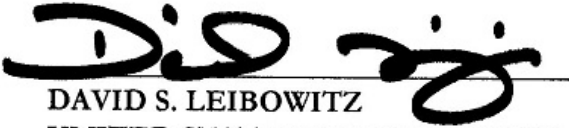
recommendations made by the magistrate judge.” *Macort*, 208 F. App'x at 783–84 (cleaned up). To the extent a party fails to object to parts of the magistrate judge's report, those portions are reviewed for clear error. *Id.* at 784 (cleaned up).

The parties have not submitted any objections to Judge Strauss' Report and Recommendation, and the time to do so has passed. As such, the Court has reviewed the Report and Recommendation for clear error only. Upon this review, the Court finds no clear error; more accurately, the Court notes that Judge Strauss' Report and Recommendation is thorough, cogent, and compelling. The Court adopts the Report and Recommendation in its entirety.

Accordingly, it is hereby **ORDERED AND ADJUDGED:**

1. Magistrate Judge Strauss' Report and Recommendation [**ECF No. 73**] is **AFFIRMED AND ADOPTED**.
2. Defendants' Motion for Summary Judgment [**ECF No. 47**] is **GRANTED** as to Plaintiff's federal claims. Plaintiff's remaining state claims are **REMANDED** to the Circuit Court of the Seventeenth Judicial Circuit in and for Broward County, Florida.
3. The Clerk of the Court is directed to **CLOSE** this case.

DONE AND ORDERED in the Southern District of Florida on July 3, 2024.


DAVID S. LEIBOWITZ
UNITED STATES DISTRICT JUDGE

cc: counsel of record